

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION**

UNITED STATES OF AMERICA

VERSUS

CRIMINAL ACTION NO. 1:07CR47

**CARL MARTIN ADAMS, TOBY GLEN PARKER
AND TOMMY RAY CREEKMORE**

ORDER

This cause is before the Court on defendant Parker's Motion for Extension of Deadlines and Continuance of Trial Date [61]. The Court, having reviewed the motion and being otherwise fully advised in the premises, finds as follows, to-wit:

The defendant seeks a continuance of the trial set to commence on October 22, 2007. In support of the motion, defense counsel avers that, for various reasons, he has been unable to meet with his client and that he is scheduled to appear in Lee County Chancery Court on the scheduled trial date.

After due consideration of the matter, the Court is of the firm conviction that a continuance is unwarranted under the facts before the Court. Review of the record reveals that this Court has granted two prior motions for continuance upon motion of Parker's co-defendants. Defense counsel has had ample opportunity to meet with his client and prepare his case. In addition, counsel does not represent in the instant motion that his conflicting setting in chancery court is a prior setting; accordingly, this Court is under no compunction to grant a motion to continue upon that alternative ground. Accordingly, the Court concludes that the defendant's motion is not well-taken and should

be denied. This matter will proceed to trial as previously scheduled on October 22, 2007.

IT IS, THEREFORE, ORDERED AND ADJUDGED that the defendant's Motion for Extension of Deadlines and Continuance of Trial Date [61] is not well-taken and should be, and hereby is, DENIED.

SO ORDERED, this the 1st day of October, 2007.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE